

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

KEVIN SIERRA-LOPEZ,

Plaintiff,

v.

OPINION AND ORDER

17-cv-599-wmc

MICHAEL LAMARCA, NURSE BARB,
CAPT. MILLER, DENISE VALERIOUS,
DR. SYED, JOLINDA WATERMAN, NURSE
R. FELDMAN, and DR. S. MCARDLE,

Defendants.

In a prior opinion and order, the court granted *pro se* plaintiff Kevin Sierra-Lopez leave to proceed on an Eighth Amendment medical care claim as an inmate in the custody of the Wisconsin Department of Corrections. The defendants are all employees of the DOC working at Columbia Correctional Institution (“CCI”) or Wisconsin Secure Placement Facility (“WSPF”). In that same decision, the court directed defendants to respond to plaintiff’s motions for preliminary injunction, specifically requesting that defendants describe Sierra Lopez’s current medical treatments for his ongoing pain and any attempts to secure treatment by a urologist. (Dkt. ##17, 20.)

Defendants have since timely responded with a brief and declaration of Jolinda Waterman, WSPF’s Health Services Manager, detailing medical care provided to Sierra-Lopez for alleged ongoing pain caused by self-harm injuries to his penis and arm, including recent and upcoming appointments with specialists outside of the prison system. (Defs.’ Br. (dkt. #31); Waterman Decl. (dkt. #32).) At minimum, these submissions suggest that defendants are now adequately addressing Sierra-Lopez’s current medical needs, rendering

any preliminary injunctive relief unwarranted.

If plaintiff disputes defendants' account, however, he may pursue his motion for preliminary injunction by filing proposed findings of facts with supporting evidence, consistent with the court's procedure to be followed on motions for injunctive relief, which is attached to this order. Any submission will be due on or before April 24, 2019. After reviewing plaintiff's submission, the court will determine whether a further response from defendants is warranted and will set a hearing if necessary.

ORDER

IT IS ORDERED that if plaintiff Kevin Sierra-Lopez seeks to pursue his request for a preliminary injunction, his proposed findings of fact are due on or before April 24, 2019. If he fails to submit these factual findings, the court will deny his motions for preliminary injunction as moot and set this matter over for a preliminary pretrial scheduling conference.

Entered this 3rd day of April, 2019.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge